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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,627	12/17/1999	MING-LING LO	Y0999-429	1398

7590 11/28/2003

ANNE E BARSCHALL
80 BENEDICT AVENUE
TARRYTOWN, NY 10591

A
EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 11/28/2003
10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/466,627	LO ET AL.	
	Examiner Maikhahan Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,7-12,16-46,48-49,51-61,63-64 and 66-86 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-3,7-12,16-46,48-49, 51-61 and 63-64, and 66-86 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s). _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Detailed Action

1. This action is responsive to communications: Amendment A filed 09/18/2003 to the original application filed 01/25/1999.

2. Claims 1-3, 7-12, 16-46, 48-61 and 63-86 are currently pending in this application. Claims 4-6, 13-15, 47, 50, 62 and 65 have been canceled; claims 76-86 have been added. Claims 1, 10, 46, 49, 61 and 64 are independent claims.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-3, 7-9, 22-46, 48, 53-61, 63 and 68-84 drawn to *annotation control*, classified in class 715, subclass 512.

II. Claims 10-12, 16-21, 49, 51-52, 64 and 66-67 drawn to *structured document*, classified in class 715, subclass 513.

4. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as *annotation control* and invention II has separate utility such as *structured document*. See MPEP § 806.05(d).

5. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Contact Information:

Any response to this action should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

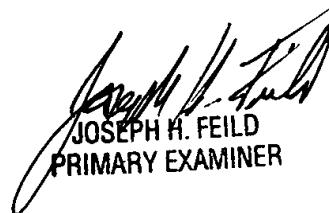
Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.
OFFICIAL faxes must be signed and sent to (703) 872-9306.
NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhahan Nguyen
November 24, 2003



JOSEPH H. FEILD
PRIMARY EXAMINER

Nguy n, Maikhanh

From: Green, Shirelle
Sent: Wednesday, November 05, 2003 7:16 AM
To: Nguyen, Maikhanh
Subject: FW: FW: Information Request

Please see below for date of paper...

Shirelle Green
Technical Information Specialist
US Patent & Trademark Office
Scientific & Technical Information Center / EIC 2100
CPK 2, 4B40
Phone: 703-306-4767
Fax: 703-306-5509
With God all things are possible... Without Him, nothing is...

-----Original Message-----

From: turau@tuhh.de [mailto:turau@tuhh.de]
Sent: Wednesday, November 05, 2003 4:15 AM
To: Green, Shirelle
Subject: Re: FW: Information Request

Dear Shirelle Green,

my paper with the title "Making legacy data accessible for XML applications" was published in October 1999 as a technical report.

Best wishes from Hamburg

prof. dr. v. turau

Shirelle.Green@USPTO.GOV wrote:

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> //  
>  
>  
> /Good Afternoon Professor ,/  
>  
> //  
> /I am contacting you from the Scientific Library at the US Patent &  
> Trademark Office./  
> //  
> /One of our users has located a copy of your paper entitled, "Making  
> legacy data accessible for XML applications." However, there was no  
> date of publication listed. Therefore, please provide with the date of  
> publication for this article./  
> //  
> /Thank you./  
>  
> /Shirelle Green/  
> /Technical Information Specialist/  
> /US Patent & Trademark Office/  
> /Scientific & Technical Information Center / EIC 2100/  
> /CPK 2, 4B40/  
> /Phone: 703-306-4767/  
> /Fax: 703-306-5509  
> With God all things are possible... Without Him, nothing is.../
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Volker Turau
Prof. Dr. rer. nat.
Technische Universität Hamburg-Harburg

Schwarzenbergstr. 95
D-21073 Hamburg
Tel.: (+4940) 42878-3530
Fax: (+4940) 42878-2581
E-Mail: turau@tuhh.de